CLERK'S OFFICE U.S. DIST. COURT

MAY 0 5 2006

## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

ROANOKE DIVISION		JOHN F. CORCORAN; CLERK BY: HMCOCOCOC DEPUTY CLERK
DONALD WAYNE BARKSDALE, Petitioner,	) Civil Action No. 7:060	CV00158
v.	) <u>FINAL ORDER</u>	
TRACY S. RAY, WARDEN, Respondent.	) By: Hon. Jackson L. I ) Senior United States I	

In accordance with the Memorandum Opinion entered this day, it is hereby

## **ORDERED**

as follows:

Respondent.

- The above referenced petition for writ of habeas corpus, filed pursuant to 28 1. U.S.C. § 2254, is **DISMISSED**;
- The petitioner's motion to proceed in forma pauperis is DISMISSED as moot; and 2.
- The petitioner's motion for discovery is **DISMISSED** as moot. 3.

The Clerk is directed to send a certified copy of this order and the accompanying memorandum opinion to the petitioner and counsel of record for the respondent.

This 5<sup>th</sup> day of May, 2006. ENTER:

Senior United States District Judge